

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



December 28, 2005

ALL COUNTY INFORMATION NOTICE NO. I-84-05

TO: ALL COUNTY WELFARE DIRECTORS
ALL CHIEF PROBATION OFFICERS
ALL COUNTY FISCAL OFFICERS

SUBJECT: 2004 *HIGGINS*/IV-E ELIGIBILITY REVIEW OF RELATIVE/NON-RELATIVE
EXTENDED FAMILY MEMBER PLACEMENTS (RELATIVE ASSESSMENT
APPROVAL MONITORING PROCESS)

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☒ Initiated by CDSS

REFERENCE: Article 3 of Title 22, Division 6, Chapter 9.5 of the California Code of Regulation, Manual of Policy and Procedures (MPP) Sections 420 and 445; MPP, Division 31 CWS Program Regulations; All County Information Notice (ACIN) I-56-04 dated September 7, 2004; ACIN I-17-03 dated June 12, 2003; All County Letter (ACL) 04-10 dated March 25, 2004; ACL 02-97 dated December 27, 2002; ACL 02-78 dated October 24, 2002; ACL 02-59 dated August 5, 2002; County Fiscal Letter (CFL) 03/04-55 dated June 2, 2004; CFL 03/04-20 dated October 14, 2003.

The purpose of this ACIN is to provide all county Child Welfare Services (CWS) and Probation Departments with information regarding the county review of Calendar Year 2004/*Higgins*/IV-E Eligibility Review of Relative/Non-Relative Extended Family Member (NREFM) placements by the Children Services Operations Bureau (CSOB).

Background

Assembly Bill (AB) 1695 (Chapter 653, Statutes of 2001) and the settlement provisions of the *Higgins v. Saenz* lawsuit established the standards and requirements for assessing and approving the homes of relative and NREFM caregivers. In order to implement those standards and requirements, the California Department of Social Services (CDSS) provided county personnel on-site training over the course of an 18-month period beginning in January 2003 and ending in June 2004. Technical assistance provided by CDSS to county personnel has been ongoing.

As required under the *Higgins v. Saenz* settlement agreement, CDSS began monitoring county compliance with the assessment/approval process for relative and NREFM homes. The review looked at five areas: Criminal Record Clearance, Caregiver Qualifications, Safety of the Home and Grounds, Child's Personal Rights, and Training and Orientation. The review used a randomly selected, statistically valid sample of approved relative and NREFM placements in each county using data from the Child Welfare Services/Case Management System (CWS/CMS). All cases were reviewed to the SOC 815, 817 and 818 forms.

As a result of the 2002 Title IV-E disallowance, based on ineligible relative/NREFM placements, a California corrective action plan (CAP) was developed with the Department of Health and Human Services, Administration for Children and Families, Region IX. The CAP requires CDSS to review Title IV-E Eligibility for relative/NREFM placements for calendar year 2004. The Title IV-E Eligibility Review will be combined with the *Higgins* Review in order to meet the requirements of the CAP agreement. The combined review will be known as the 2004 Review.

2004 REVIEW

Communication Protocol Between CDSS and the County

The CDSS will contact the county CWS Director and Chief Probation Officer 60 days (as necessary) in advance and 30 days prior to the 2004 online review start date. The 30 day notification will inform the county of the firm date the online review is scheduled to commence. The CDSS will also contact the county at the conclusion of the online review and rebuttal process to provide information on the compliance findings. All other communication with the county will be done between the CSOB consultant assigned to the county review and the identified county contact person.

Sample Methodology

A statistically valid random sample of relative and NREFM placement months was drawn from the CWS/CMS for each county for calendar year 2004. The universe from which the sample was drawn was composed of each month or partial month a child was in a relative/NREFM placement for at least three calendar days. For example, if Bob was placed in a relative/NREFM home August through October, he is eligible to be part of the sample for each month in placement or a maximum of three times.

The case will be reviewed for the specific placement month drawn in the sample. For example, if the Bob placement was selected for September, the review of Bob's placement would be conducted only for the month of September.

Once all placement months in the sample are reviewed, a compliance rate will be calculated. This rate will be calculated by dividing the number of months in compliance by the total number of reviewed placement months. The compliance rate will represent for each county, compliance over the calendar year 2004.

For purposes of clarification, the sample also includes cases with a foster care aid code that have been referred to adoptions where the adoption had not yet been finalized, cases transferred in from another county prior to the last day of the review month, and Indian Child Welfare Act (ICWA) cases.

Cases that will be Excluded or Rejected from the 2004 Review Sample

During the Rebuttal Process, CSOB will exclude placement months from the sample if the case meets the criteria identified below. The county will be required to submit documentation to CSOB that supports exclusion of the placement month due to one of the following reasons:

- ❖ Interstate Compact on the Placement of Children (ICPC).
- ❖ Any legal guardianship where there is no foster care payment.
- ❖ Foster homes licensed prior to the third day of the review month.
- ❖ Cases identified as removed or transferred from the relative/NREFM placement prior to the first day of the review month.
- ❖ Cases identified as not in a relative/NREFM placement and the placement home is certified by a foster family agency prior to the third day of the review month.
- ❖ Inter-county transfer cases if the home is not due for an annual reassessment by the receiving county.
- ❖ Cases where child returned home prior to detention hearing.

Please refer to the Rebuttal Process section for documentation that will be requested.

Placement months from the over-sample list will be used to replace excluded placement months so the county's sample size will remain the same.

Review Process

Using CWS/CMS, CSOB will review the sample placement months online to verify that the county has documented and completed the required SOC 815, 817, and 818 forms to determine compliance in the standard review areas (Criminal Record Clearance, Caregiver Qualifications, Safety of the Home and Grounds, Child's Personal Rights, and Training and Orientation); whether standards were met on or before the date of the relative/NREFM home approval; and if the annual assessment of the relative/NREFM home was completed by the last day of the 12th calendar month following the previous assessment/approval date. For example, if the home had been approved on May 23, 2003, the annual assessment would need to be completed and documented by May 31, 2004.

In support of CSOB, CDSS Fiscal Policy Bureau (FPB) will be requesting fiscal data which is needed to determine if a Title IV-E payment was claimed in the sample month for each case. The FPB will also determine if the sample placement month is in compliance with the Title IV-E eligibility requirements. Attachments A, B and C outline the fiscal process that will be necessary to determine each county's Title IV-E compliance rate.

Upon completion of the online review, CSOB will provide a rebuttal matrix of the preliminary findings to the CWS Director or Chief Probation Officer and a copy to the county contact. This rebuttal matrix will identify the assigned sample case numbers, the placement months reviewed and the cases not initially in compliance.

The Comments Section of the rebuttal matrix will have a brief description of what is needed to bring the placement month into compliance. The county is to utilize this document as a guide to identify what hard copy documentation is to be sent to CSOB for rebuttal.

Unless otherwise stated, each timeframe mentioned throughout this document means calendar days. For example: 30 days means 30 calendar days. If the County is unable to meet the required timeframes it shall contact CDSS to request an extension.

Rebuttal Process

The county will have **15** working days from the date of the 2004 relative/NREFM assessment/approval review cover letter transmitting the rebuttal matrix to send the CSOB rebuttal documentation supporting or clarifying how each case meets assessment/approval compliance requirements or supporting why the case should be excluded from the review. [Due to stricter confidentiality requirements, all confidential case information must be double enveloped (a sealed addressed envelope within an envelope) and sent priority mail, overnight or another secure routing service. Do not send confidential information via electronic fax.]

If the county is seeking to exclude a case from the sample for reason that it is an ICPC case, then the county must submit to CSOB a copy of the ICPC 100B form showing that the child was placed out of state.

If the county is seeking to exclude a case from the sample for the reason that the caregiver is a legal guardian, then the county must submit a copy of the court order establishing legal guardianship.

If the county is seeking to exclude a case from the sample for the reason that the home is licensed, then the county must submit a copy of the foster family home license.

If the county is seeking to exclude a case from the sample for the reason that the child was removed or transferred, then the county must submit either the court order returning the child home or a new signed placement agreement.

If the county is seeking to exclude a case from the sample for the reason that the child was placed in a certified home of a Foster Family Agency (FFA), then the county must submit documentation that foster care payment has been issued to the FFA.

If a county is seeking to exclude a case from the sample for reason of Inter-county transfer, then the county must submit to CSOB a court order identifying when the receiving county assumed jurisdiction and placement payments to the caregiver. The receiving county can also opt to submit completed SOC forms. Should the receiving county opt to submit completed SOC forms then the case will not be excluded from the sample and will be reviewed to current approval standards.

If the county is seeking to exclude a case from the sample for the reason that the child returned home prior to the detention hearing, then the county must submit the court order dismissing the petition and/or payment history.

Rebuttal documentation is limited to hard copy SOC 815, 817, and 818 forms only, and documentation that a Documented Alternate Plan (DAP) or Plan of Correction was completed. (*Refer to Section on DAP and Plan of Correction for more detail*). The CSOB will review the documents submitted by the county as part of the rebuttal process and determine compliant placement month(s).

Oversight Report

The Oversight Report identifies the specific findings and compliance level for each area reviewed. Following the rebuttal response, CSOB will prepare a final matrix of cases and respective case placement month(s) that are still found to be out of compliance for inclusion into the Oversight Report. The CSOB will send the county an Oversight Report cover letter, the Oversight Report and the Final Matrix identifying the respective case placement month(s) that are still determined to be out of compliance.

Corrective Action of Non-Compliant Cases

The CSOB will request in the Oversight Report cover letter that the County take corrective action on those cases and their respective review standard areas still found out of compliance. The County will have 30 days from the date of the Oversight Report cover letter to bring the identified specific review standard into compliance with the relative/NREFM assessment and approval requirements. The CSOB will review the case to verify the county has updated forms in the respective identified review standard areas as part of the 30-Day Online Review.

30-Day Online Review

This review will take place no earlier than 30 days after the county's receipt of the Oversight Report cover letter. The 30-Day Online Review is limited to a review of only those cases with placement months that were determined to be out of compliance with the standards. The purpose of this follow-up review is to determine if the county has rectified the condition(s) that caused placement month(s) to be determined as not meeting the required standards. The 30-Day Online Review process is as follows:

- ❖ The CSOB will use the Final Case Status Matrix enclosed with the Oversight Report to identify the cases and standards to be re-reviewed on the CWS/CMS.
- ❖ The CSOB will review SOC 815, 817, and 818 forms online to verify that standards found out of compliance have been corrected.
- ❖ If CSOB is able to verify that the standards have been corrected, CSOB will send the county a letter with these findings.
- ❖ If the SOC 815, 817, and 818 forms are not found online or are incomplete, CSOB will prepare a 30-Day Online Review matrix.
- ❖ The CSOB will send the county a 30-Day Online Review Matrix Cover Letter with the 30-Day Online Review Matrix requesting that the county provide a hardcopy of the SOC documents documenting that the standards have been met.
- ❖ The County will have **five** working days from the county's receipt of the 30-Day Online Review Matrix cover letter to submit the original hardcopy of the SOC 815, 817, and/or 818.
- ❖ Upon receipt of the requested SOC documents, CSOB will determine if the standards have been met.
- ❖ The CSOB will send the CWS Director or the Chief Probation Officer a 30-Day Online Review Corrective Action Letter and 30-Day Online Review Corrective Action final matrix documenting their findings.

During the 30-Day Online Review rebuttal process, counties may submit a hard copy of the corrected page(s) of the SOC 815, 817, and/or 818 form(s) found to be incomplete or the most recent annual reassessment to demonstrate that the county has taken corrective action on a case. The annual reassessment documentation should include all pages of the SOC 815, 817, and 818 forms.

The CSOB is aware that case circumstances may have changed since the case and its respective placement month(s) was initially reviewed. For example, the case may now be closed due to the finalization of an adoption or transfer of jurisdiction. If this occurs, the county is not expected to provide CSOB completed SOC 815, 817, and 818 forms; rather the county is to submit documentation verifying that the case is closed or transferred.

Corrective Action Plan (CAP)

The CSOB will require the County to develop a CAP for systemic changes for each standard area determined to be below the established 90 percent compliance threshold identified in the "Review Results Page" of the Oversight Report. The CAP is to include:

- ❖ A statement of the problem(s);
- ❖ A cause of the problem(s);
- ❖ A plan objective for correcting the problem(s);

- ❖ Implementation issues and time frames for implementing the corrective actions identified as part of the plan objective, including a projection of when compliance will be achieved;
- ❖ An evaluation component to measure progress.

The CAP must be submitted to CSOB within **30** days of the county's receipt of the Oversight Report cover letter that is issued to the county.

Technical Assistance

The CSOB consultants are available to provide technical assistance on all aspects of the 2004 Review process; each county will be provided the consultant's name and phone number in the relative/NREFM assessment/approval review cover letter.

60-Day Online Review

This review will take place 60 days after the county CAP is approved by CSOB. The purpose of this review is to determine whether systemic problems involving the county relative/NREFM approval process have been corrected. This review also provides the county and CSOB information on the effectiveness of the objectives and plans in the county CAP. The sample for this review will be limited to only those cases that had been initially assessed and approved or annually reassessed and approved 30-days after CSOB approved the county CAP. For example, if CSOB approved the county CAP on January 1st, it would review cases that were initially assessed and approved or annually reassessed and approved on or after January 31st. The 60-Day Online Review process is as follows:

- ❖ The CSOB will review CWS/CMS for online versions of the SOC 815, 817, and 818 forms to verify that the home meets the required relative/NREFM approval standards.
- ❖ The CSOB upon completion of the 60-Day Online Review will provide a 60-Day Online Review Findings Matrix cover letter and 60-Day Review Findings Matrix to the CWS Director or Chief Probation Officer and a copy to the county liaison.
- ❖ The county will have **five** working days from the county's receipt of the 60-Day Online Review Findings Matrix cover letter to submit hard copy documentation of the original SOC 815, 817, and 818 needed to verify the case and its respective placement month(s) met standards.
- ❖ The CSOB will determine if the documentation brings the case and its respective placement month(s) into compliance with the standards.
- ❖ The CSOB will issue a Final 60-Day Online Review Letter and Final 60-Day Online Review Matrix to the CWS Director or Chief Probation Officer.

Case Documentation Requirements

The 2004 relative/NREFM assessment approval will address *Higgins* and Title IV-E eligibility review standards. If a case does not meet *Higgins* review standards (except for the annual re-assessment) it is not eligible to claim for Title IV-E funds. See Attachment B for the additional Title IV-E requirements. Relative/NREFM homes cannot be considered compliant or approved until the date all standards are completed and cannot be claimed for Title IV-E funds until the approval date. Therefore, emergency/temporary placements are not Title IV-E eligible.

The CSOB process for review of case documentation (SOC 815, 817, and 818 forms) and determination of compliance with relative/NREFM approval standards is as follows:

The SOC 815 form is considered complete when all boxes on pages one and two are checked, the name of the worker inspecting the caregiver's home and date entered, the home approval date is entered, and the signature and date of an assessment approval worker and the assessment approval worker supervisor's signature has been documented. For homes requiring a Documented Alternative Plan (DAP) or Plan of Correction, please refer to the Section on DAP and Plan of Correction. The SOC 815 form requires an original signature and date. On CWS/CMS the signature can be typed or wording to the effect that the original signature is on file typed in the signature block and the date typed in the date block. The SOC 815 form will be considered incomplete if any of the boxes are unchecked and/or the signature or date block(s) is left blank.

Additionally, for relative/NREFM approval, the county is responsible for documenting in the designated boxes on the SOC 815, Page 3, "Criminal Background Checks" that each adult living in the home has at time of approval:

- ❖ Live Scan criminal record clearance or criminal record exemption.
- ❖ DOJ CACI clearance.
- ❖ FBI requested.
- ❖ Rap Back (subsequent arrest notifications) requested date.

For emergency/temporary placement approval, the county is responsible for documenting in the designated boxes on the SOC 815, Page 3, "Criminal Background Checks" that each adult living in the home has on or before the date of placement:

- ❖ A CWS/CMS search completed.
- ❖ A CLETS clearance (no criminal record exemptions permitted).
- ❖ DOJ CACI check.

In addition, a Live Scan clearance must be initiated within **five** judicial days of the CLETS check. The online review will only capture if the FBI clearance has been requested.

Ensure page four of the SOC 815 is completed. In summary, during the review process all four pages of the SOC 815 are needed to consider the form complete.

The SOC 817 form is considered complete when each standard on pages one and two has been addressed by checking the appropriate box and the assessment approval worker signature and date have been documented. The SOC 817 form requires an original signature and date. On CWS/CMS the signature can be typed or wording to the effect that the original signature is on file typed in the signature block and the date typed in the date block. The SOC 817 form will be considered incomplete if any safety standard has not been documented by a check in the appropriate box, and/or the signature or date block is left blank. The county will be required to produce a hard copy of the original signed SOC 817 as part of the rebuttal process.

For temporary/emergency placements the county is responsible for ensuring that the home meets the necessary health and safety standards. This should be documented on the SOC 817 form and submitted to CSOB to determine compliance. It is understood that the signature and date on the SOC 817 form may be after the date of placement due to the "emergency" nature of the placement

process. The county will ensure that any deficiencies identified have been addressed in accordance with the health and safety standards described on pages 3-5 of the SOC 817.

The SOC 818 form is considered complete when all statements on pages one through four have been addressed by checking the appropriate response and the assessment approval worker signature, phone number, and date have been documented. The SOC 818 form requires an original signature and date. On CWS/CMS the signature can be typed or wording to the effect that the original signature is on file typed in the signature block and the date typed in the date block. The SOC 818 form will be considered incomplete if any of the boxes are unchecked and/or the signature or date block is left blank.

Additionally, the Caregiver Declaration and Agreement, page five, must include the caregiver's initials or an NA if not applicable and must document the caregiver's signature and date. On CWS/CMS, all initials, signatures, and dates, must be typed in the identified areas. The SOC 818 form will be considered incomplete if any caregiver qualification standard has not been documented in the appropriate box or area, and/or the signature or date block is left blank. The county will be required to produce a hard copy of the original signed SOC 818 as part of the rebuttal process.

The CDSS expects counties to maintain the original signed and initialed documents in the county record should they be required for audit purposes, including documentation supporting compliance with criminal record clearances, including the Criminal Record Statement (LIC 508).

ICWA Cases

For an ICWA case, if the family is part of the tribe and the tribe performs the relative/NREFM approvals, the county must only complete page three of the SOC 815 on the criminal background clearance, and retain a copy of the document from the tribe that it is a tribally-approved home. If the home is a tribally-designated home, then the home is not approved nor licensed by the tribe, in which case the county must approve the home and complete all standard forms (SOC 815, 817, 818) or license the home.

Placement

The 2004 Review will determine whether the home met all standards prior to initial placement on or prior to the placement date.

For placements made in the month under review and the placement occurred prior to all standards being met then the county is responsible for providing to CSOB the required documentation identifying that the home was an emergency/temporary placement during the rebuttal process.

Timeliness

The 2004 Review will determine if all approval standards were met by the date of approval documented on the SOC 815 form, page two.

The 2004 Review will determine for annual re-assessment/approval whether the home was approved by the last day of the 12th calendar month following the previous assessment/approval date documented on the SOC 815 form, page two.

DAP and Plan of Correction

The SOC 817 form will capture whether a relative/NREFM home was approved with a DAP or Plan of Correction. For an initial assessment and/or annual reassessment of a relative/NREFM home, an approved DAP can meet the licensing requirement related to telephones and buildings and grounds. The counties will determine how to document the approved DAP and maintain documentation of the approved DAP in a case file to support that the home meets relative/NREFM approval standards for placement and Title IV-E eligibility.

For an initial assessment or emergency/temporary placement, an immediate impact deficiency is to be corrected immediately and prior to placement of the child(ren). Any potential impact deficiency resulting in a plan of correction must be completed before claiming Title IV-E funds. This information will be based on the plan of correction date of completion located on page two of the SOC 815 form.

For the annual re-assessment, an immediate impact deficiency is to be corrected immediately or the child is to be removed from placement. However, if at annual re-assessment, a potential impact deficiency is found, the child may remain in the placement pending a plan of correction for the deficiency. If the plan of correction is completed within the timeline developed or no later than 30 days from the annual re-assessment due date, the case will be found in compliance. Please refer to Attachment B, Item 7 for clarification. If the plan of correction is not completed within the timeline developed or later than 30 days from the annual reassessment due date, the home will be found out of compliance and will not be eligible for the receipt of Title IV-E funds until the CAP is completed. These placement month(s) would be required to be addressed as part of the Rebuttal Process.

Questions regarding the relative/NREFM assessment monitoring portion of this ACIN can be directed to your CSOB consultant at (916) 651-8100. Questions regarding a DAP or Plan of Correction may be directed to the Kinship Care Policy and Support Unit at (916) 657-1858. Questions regarding the fiscal claim adjustments can be e-mailed to assistance.claims@dss.ca.gov.

Sincerely,

MARY L. AULT
Deputy Director
Children and Family Services Division

**FISCAL PROCESS
FOR THE
2004 HIGGINS/TITLE IV-E ELIGIBILITY REVIEW
Part One**

Part one of the fiscal process is to collect the fiscal data needed to complete the *Higgins*/Title IV-E Eligibility Review.

1. When the *Higgins*/Title IV-E Eligibility Review begins in a county, CDSS Fiscal Policy Bureau (FPB) analyst will call the county fiscal officer to discuss the fiscal process.
2. The FPB will also send a letter to the county fiscal officer with an Excel file on a floppy disk that has the county's *Higgins*/Title IV-E Eligibility sample case listing. Cases that met the drop case criteria for the *Higgins* portion of the review will not be included in the sample case listing for the fiscal process.
3. The Excel file will provide the sample number, child's name, child's date of birth, and the sample month for each case included in the review. This file also provides an example of a completed Excel file and instructions on how to complete this Excel file.
4. The Excel file will be zipped with WinZip 9.0 and password protected due to the confidential information contained in this file. The county must have WinZip 9.0 to open this floppy disk.
5. The FPB will give each county a due date for the return of the Excel file.
6. The FPB analyst will provide the password for the Excel file during the initial telephone call.
7. The FPB will provide a self-addressed return envelope and disk mailer marked "confidential" for the county to return the disk.
8. The county fiscal officer must complete the Excel file with the requested information for each sample case. If the Title IV-E payment was for the initial month of placement, the county must provide a copy of the payment history for that case in the sample month.
9. The county fiscal officer will zip the completed file with WinZip 9.0 and password protect the file using the same password as previously provided by the FPB.
10. The county fiscal officer will return the disk in the envelope and disk mailer via priority mail with a tracking receipt due to the confidential information on the Excel file.

Attachment B will describe the next fiscal steps.

**TITLE IV-E COMPLIANCE
FISCAL PROCESS
Part Two**

Part two of the fiscal process is to determine if the sample case was Title IV-E eligible. The information provided by the county on the Excel file (Attachment A) will be used to determine if the sample case is included in the Title IV-E compliance portion of *Higgins*/Title IV-E Eligibility Review.

1. The FPB analyst will review the Excel file completed by the county to identify the cases that were funded with Title IV-E. These will now be the sample cases referred to in the following steps.
2. For purposes of the Title IV-E compliance portion of the *Higgins*/Title IV-E Review, a case will be dropped if the sample case was not paid with Title IV-E funds.
3. For each sample case, the FPB analyst will use the Children's Services Operations Bureau (CSOB) Review Instrument to determine the date the home was approved.
4. A sample case may be in compliance with Title IV-E requirements if the reassessment was completed within five years of the prior assessment date.
5. A sample case may be in compliance with Title IV-E requirements if the reassessment was completed by the last day in the sample month. For example: The reassessment was due on August 5th. The reassessment was completed on August 15th. On August 31st, the sample case met the Title IV-E requirements so the case would be in compliance with Title IV-E. (Note: In this example, a case would be in compliance with Title IV-E for this review; however, it would be out of compliance for the *Higgins* review.)
6. A sample case with a plan of correction for the initial assessment is not Title IV-E eligible until the requirements of the plan of correction are completed.
7. For reassessment, a sample case may be in compliance with Title IV-E requirements if the requirements of the plan of correction are completed within 30 days. For example: the sample month is November, the reassessment date was the 20th and there was a plan of correction. If the plan of correction is completed by December 20th, then the sample case would be eligible for Title IV-E in the sample month of November.
8. In an initial month, a sample case will be out of Title IV-E compliance if the child was placed prior to the date the home was approved.
9. A sample case will be out of Title IV-E compliance if the child was in a temporary or emergency placement and a Title IV-E payment was made. Temporary or emergency placements are not eligible for Title IV-E.
10. Sample cases found out of compliance will be considered cases claimed in error for Title IV-E.
11. The compliance will be recorded for each case on the CSOB Review Instrument by the FPB analyst.
12. The CSOB Review Instrument will be used to determine if the sample case meets the compliance standards.

**TITLE IV-E COMPLIANCE METHODOLOGY
FISCAL PROCESS
Part Three**

Part three of the fiscal process is the determination of Title IV-E compliance which will occur after the county has completed the rebuttal process. This process will include extrapolation of a fiscal finding to the county's annual claim for relative placements if the county is out of compliance.

1. The sample cases identified by the county as being claimed for Title IV-E will be used in the compliance findings.
2. The county's compliance rate will be calculated based on the number of Title IV-E cases found in compliance. An adjustment will be made to the compliance rate by giving counties credit for the upper bound of the sample's confidence limit.
3. An extrapolation will not occur when a county compliance rate is calculated at 90 percent or higher.
4. An extrapolation will occur when a county compliance rate falls below 90 percent after the adjustment is made. Fiscal penalties may be imposed on individual counties whose compliance rate is less than 90 percent.
5. If fiscal penalties are imposed on individual counties with a compliance rate of less than 90 percent, the individual county's 2004 CA 800 FC Fed Assistance Claims will be used as the source documents to determine the 12-month total Title IV-E claimed for relative/NREFM placements.
6. The 12-month total of the CA 800 FC Fed (Title IV-E) claims times the percentage of cases claimed in error will be used to calculate the dollar value of the total Title IV-E relative/NREFM placements claimed in error.
7. All individual cases claimed for Title IV-E which are found to be out of compliance will be adjusted.
8. After CSOB sends the Final Oversight Report to the county, the county will be notified in writing of any claim adjustments or disallowance in part or in total as a result of this CDSS audit. The notification letter shall specify the reason(s) for the adjustment and shall include copies of amended claim summary documents. If the county does not concur with the adjustment, it may appeal in accordance with Section 25-250.4 of the Fiscal Management and Control Administrative Responsibilities Manual.